

E. Evans Wohlforth, Jr.
Charlotte M. Howells
Gibbons P.C.
One Gateway Center
Newark, NJ 07102
Tel: (973) 596-4500
Fax: (973) 596-4545

Benjamin A. Post*
Joshua T. Calo**
Post & Post LLC
200 Berwyn Park, Suite 102
920 Cassatt Rd.
Berwyn, PA 19312
Telephone: (610) 240-9180
Fax: (610) 240-9185
*admitted pro hac vice
**admission pro hac vice pending

*Attorneys for Defendants Carecore National LLC d/b/a eviCore, Group Health Incorporated
and Emblem Health, Inc.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KATHLEEN VALENTINI, VALERIO
VALENTINI, and VALERIO VALENTINI on
behalf of his minor son M.V.,

Plaintiffs,

-against-

GROUP HEALTH INCORPORATED, EMBLEM
HEALTH, INC., CARECORE NATIONAL LLC
d/b/a EVICORE, and JOHN DOES 1 AND 2,

Defendants.

Civil Action No. 20-9526 (JPC)

Document Electronically Filed

**CERTIFICATION OF
E. EVANS WOHLFORTH, JR., ESQ. IN
SUPPORT OF MOTIONS TO DISMISS
SUBMITTED ON BEHALF OF
DEFENDANTS CARECORE
NATIONAL LLC d/b/a EVICORE AND
GROUP HEALTH INCORPORATED**

E. EVANS WOHLFORTH, JR., ESQUIRE, of full age, hereby certifies as follows:

1. I am an attorney at law of the State of New York and admitted to this Court and am a partner of the firm of Gibbons P.C., attorneys for defendants CareCore National LLC d/b/a eviCore (“eviCore”), the entity named in the Complaint as Group Health Incorporated now formally EmblemHealth Plan, Inc. (hereinafter for the avoidance of confusion “GHI”) and Emblem Health, Inc. (“Emblem”) (hereinafter, eviCore and GHI shall collectively be referred to

as the “Moving Defendants”). I submit this Certification in support of the Moving Defendants’ respective Motions to Dismiss the Complaint.

2. Attached hereto as Exhibit A is a true and correct copy of the GHI Comprehensive Benefits Plan (CBP), including Certificate of Insurance.

3. Attached hereto as Exhibit B is a true and correct copy of the February 11, 2019 letter sent from eviCore to Plaintiff and her treating physician.

4. Attached hereto as Exhibit C is a true and correct copy of the February 13, 2019 facsimile correspondence sent from the office of Plaintiff’s treating physician to eviCore.

5. Attached hereto as Exhibit D is a true and correct copy of the February 16, 2019 letters sent from eviCore to Plaintiff and her treating physician.

6. Attached hereto as Exhibit E is a true and correct copy of the February 20, 2019 facsimile correspondence sent from the office of Plaintiff’s treating physician to eviCore.

7. Attached hereto as Exhibit F is a true and correct copy of the March 7, 2019 letters sent from eviCore to Plaintiff.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 16, 2020

BY: /s/ E. Evans Wohlforth, Jr.
E. Evans Wohlforth, Jr., Esq.
Charlotte M. Howells, Esq.
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Telephone: (973) 596-4905
Facsimile: (973) 639-6471
ewohlforth@gibbonslaw.com
chowells@gibbonslaw.com

Benjamin A. Post*
Joshua T. Calo**
Post & Post LLC
200 Berwyn Park, Suite 102
920 Cassatt Rd.
Berwyn, PA 19312
Telephone: (610) 240-9180
Fax: (610) 240-9185
**admitted pro hac vice*
** *admission for pro hac vice pending*

*Attorneys for Defendants Carecore National
LLC d/b/a eviCore, Group Health Incorporated
and Emblem Health, Inc.*